

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

MONICA KIM DAILY,

Plaintiff,

v.

CAROLYN W. COLVIN,
ACTING COMMISSIONER
OF SOCIAL SECURITY,

Defendant.¹

Civil Action No. 12-cv-1078

**CONSENT ORDER TO
REMAND PURSUANT
TO SENTENCE 4 OF
42 U.S.C. § 405(g)**

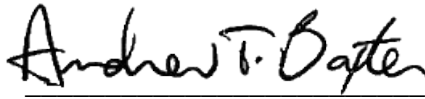
This matter having been opened to the Court by RICHARD S. HARTUNIAN, United States Attorney for the Northern District of New York, and Sandra M. Grossfeld, Special Assistant United States Attorney, attorneys for Defendant, for an Order remanding the within cause of action to the Defendant pursuant to the fourth sentence of 42 U.S.C. § 405(g), and Plaintiff, through the undersigned attorney, having consented to the within order and the requested remand, and the Court having considered the matter,

IT IS on this day of February, 2013;

ORDERED that the final decision of the Commissioner be REVERSED and REMANDED to the Defendant pursuant to the fourth sentence of 42 U.S.C. § 405(g), for further administrative proceedings.

¹ Carolyn W. Colvin became the Acting Commissioner of Social Security on February 14, 2013. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Carolyn W. Colvin should be substituted, therefore, for Michael J. Astrue as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C § 405(g).

SO ORDERED:



Hon. Andrew T. Baxter
Magistrate Judge
United States District Court

Dated:

February 15, 2013

The undersigned hereby consent to the form and entry of the within order.

RICHARD S. HARTUNIAN
United States Attorney

By: s/ Sandra M. Grossfeld
Sandra M. Grossfeld
Special Assistant U.S. Attorney
Bar Roll No. 514022
c/o Social Security Administration
Office of the General Counsel
26 Federal Plaza, Rm. 3904
New York, NY 10278

CONBOY, MCKAY LAW FIRM

By: s/ Peter L. Walton
Attorney for Plaintiff
Bar Roll No. 506837
407 Sherman Street
Watertown, NY 13601